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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 09/996,142 Confirmation No.: 3756
Applicant(s) : Daniel E. Resasco, Boonyarach Kitiyanan,
Walter E. Alvarez and Leandro Balzano
Filed : 11/28/2001
TC/A.U. : 1754
Examiner : S. Hendrickson
Title : PROCESS AND APPARATUS FOR PRODUCING
SINGLE-WALLED CARBON NANOTUBES

Docket No. : 5820.613

Customer No. : 30589

Mail Stop Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER UNDER 37 C.F.R. § 1.321(b)

Sir:

I, Christopher W. Corbett, Ph.D., having a mailing address of Dunlap, Coddling & Rogers, P.C., P.O. Box 16370, Oklahoma City, OK 73113, in the County of Oklahoma and the State of Oklahoma, represent that I am agent of record for Petitioner/Assignee entity, The Board of Regents of The University Oklahoma, Norman, Oklahoma 73019. Christopher W. Corbett, Ph.D. is authorized to sign on behalf of Petitioner/Assignee.

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02/09/2004 WASFAW1 00000058 041700 09996142
03 FC:1814 110.00 DA

The Board of Regents of the University of Oklahoma owns **U.S. Patent No. 6,413,487**, issued on July 2, 2002, assignment recorded on May 18, 2001, Reel / Frame 11833 / 0215.

The Board of Regents of the University of Oklahoma owns one hundred percent (100%) of the right, title and interest in and to the above-identified patent application, **U.S. Serial No. 09/996,142**, filed November 28, 2001, assignment recorded on November 28, 2001, on Reel / Frames 12340 / 0489.

The assignment documents relating to **U.S. Patent No. 6,413,487** and the above-identified application, **U.S. Serial No. 09/996,142**, have been reviewed and certified by Petitioner/Assignee and, to the best of Petitioner/Assignee's knowledge and belief, title is in the Petitioner/Assignee seeking to take this action.

Your petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term defined in 35 U. S. C. §§ 154-156 and 173, and of the term as presently shortened by any terminal disclaimer of **U.S. Patent No. U.S. Patent No. 6,413,487** as presently shortened by any terminal disclaimers filed prior to the grants of any patents granted on pending applications.

Petitioner further agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that

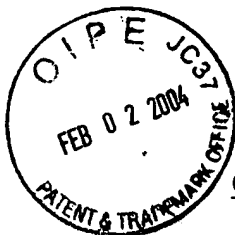
the legal title to said patent shall be the same as the legal title to **U.S. Patent No. 6,413,487**.

This agreement is to run with any patent granted on the above-identified application and is to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the earlier of the term defined in 35 U.S.C. §§ 154-156 and 173, and of the term as presently shortened by any terminal disclaimer of said **U.S. Patent No. 6,413,487** and of the terms of any patents granted on applications, as shortened by any terminal disclaimers filed prior to the patent grants, in the event that said **U.S. Patent No. 6,413,487** later: (1) expire for failure to pay a maintenance fee; (2) are held unenforceable or are found invalid by a court of competent jurisdiction; (3) are statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321; (4) have all claims canceled by a reexamination certificate; (5) are reissued; or (6) are otherwise not deemed to provide the rights conveyed by 35 U.S.C. §§ 154-156 and 173 prior to the expiration of the full statutory term(s) as presently shortened by any terminal disclaimer(s), except for the separation of legal title stated above.

2/2/04
(Date)

By: Christopher W. Corbett
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CERTIFICATE UNDER 37 CFR 3.73(b)

Applicants: Daniel E. Resasco, Boonyarach Kitiyanan, Walter E. Alvarez and Leandro Balzano

Application No.: 09/996,142 Filed: 11/28/2001

For: PROCESS AND APPARATUS FOR PRODUCING SINGLE-WALLED CARBON NANOTUBES

The Board of Regents of the University of Oklahoma, a University
(Name of Assignee) (Type of Assignee)

certifies that it is the Assignee of the entire right, title and interest in the patent application identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application identified above. The document was recorded in the Patent and Trademark Office on April 13, 1998 at Reel/Frames 12340 /0489, or, which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s) of the patent application identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to sign this certificate on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: 2/2/04

Name: Christopher W. Corbett

Title: Authorized Agent of Record, Reg. No. 36,109

Signature: 